



Substitute House Bill No. 5647

Public Act No. 06-171

***AN ACT CONCERNING CERTAIN ELIGIBILITY REQUIREMENTS
FOR UNEMPLOYMENT COMPENSATION CLAIMANTS WITH A
DISABILITY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 31-235 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(a) An unemployed individual shall be eligible to receive benefits with respect to any week only if it has been found that (1) [he] such individual has made claim for benefits in accordance with the provisions of section 31-240 and has registered for work at the public employment bureau or other agency designated by the administrator within such time limits, with such frequency and in such manner as the administrator may prescribe, provided failure to comply with this condition may be excused by the administrator upon a showing of good cause therefor; (2) except as provided in subsection (b) of this section, [he] such individual is physically and mentally able to work and is available for work and has been and is making reasonable efforts to obtain work, provided [he] the individual shall not be considered to be unavailable for work solely because [he] the individual is attending a school, college or university as a regularly

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enrolled student during [his] the separation from employment, within the limitations of subdivision (6) of subsection (a) of section 31-236, and provided further, [he] the individual shall not be considered to be lacking in [his] efforts to obtain work if, as a student, [he restricts] such efforts are restricted to employment which does not conflict with [his] the individual's regular class hours as a student, and provided the administrator shall not use prior "patterns of unemployment" of the individual to determine whether [he] the individual is available for work; (3) [he] such individual has been paid wages by an employer who was subject to the provisions of this chapter during the base period of [his] the current benefit year in an amount at least equal to forty times [his] the individual's benefit rate for total unemployment, provided an unemployed individual who is sixty-two years of age or older and is involuntarily retired under a compulsory retirement policy or contract provision shall be eligible for benefits with respect to any week, notwithstanding subdivisions (1) and (2) of this subsection, if it is found by the administrator that [he] the individual has made claim for benefits in accordance with the provisions of section 31-240, has registered for work at the public employment bureau, is physically and mentally able to work, is available for work, meets the requirements of this subdivision and has not refused suitable work to which [he] the individual has been referred by the administrator; (4) [he] such individual participates in reemployment services, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and need reemployment services pursuant to a profiling system established by the administrator unless the administrator determines that (A) the individual has completed such services, or (B) there is justifiable cause for the individual's failure to participate in such services. The administrator shall adopt regulations, in accordance with the provisions of chapter 54, for the administration of the profiling system. For purposes of subdivision (2) of this subsection, "patterns of unemployment" means regularly recurring periods of unemployment of the claimant in the years prior

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to [his] filing the claim in question.

(b) The provisions of subdivision (2) of subsection (a) of this section relating to the eligibility of students for benefits shall not be applicable to any claimant who attended a school, college or university as a regularly enrolled full-time student at any time during the two years prior to [his] such claimant's date of separation from employment, unless such claimant was employed on a full-time basis, as determined by the administrator, for the two years prior to such date.

(c) (1) Notwithstanding the provisions of subsection (a) or (b) of this section, an unemployed individual may limit such individual's availability for work to part-time employment, provided the individual (A) provides documentation from a licensed physician that (i) the individual has a physical or mental impairment that is chronic or is expected to be long-term or permanent in nature, and (ii) the individual is unable to work full-time because of such impairment, and (B) establishes, to the satisfaction of the administrator, that such limitation does not effectively remove such individual from the labor force.

(2) In determining whether the individual has satisfied the requirements of subparagraph (B) of subdivision (1) of this subsection, the administrator shall consider the individual's work history, efforts to find work, the hours such individual is medically permitted to work and the individual's availability during such hours for work that is suitable in light of the individual's impairment.

Approved June 9, 2006